

By *C4*
a definition management note to store a number of times of display of any Web page which has been accessed by an associated URL, wherein the definition management note stores a plurality of URLs that respectively corresponds to a plurality of threshold values that is associated with each URL; and

an importance degree control unit to count a number of times of display of any Web page accessed by the URL, wherein said importance degree control unit outputs the number for storage by said definition management note.

REMARKS

In the Office Action mailed on April 24, 2002, claims 2-3 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Blades et al. (U.S. Patent No. 5,420,975) ("Blades"); and claims 4-15 and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Blades in view of Nielsen (U.S. Patent No. 5,854,630) ("Nielsen"). The foregoing rejections are respectfully traversed.

Claims 2-20 are pending in the subject application, of which claims 2, 13, 16, and 19 are independent. Claims 2, 13, 16, and 19 are amended. Care has been exercised to avoid the introduction of new matter. A Version With Markings To Show Changes Made to the amended claims is included herewith.

Foreign Priority:

The Examiner has not yet acknowledged the Applicant's claim for foreign priority and submission of a certified copy of the foreign priority document filed on March 23, 1999. The Applicant is concurrently submitting a photocopy of the claim for foreign priority, a photocopy of the first page of the certified copy of the foreign priority document, and a photocopy of the stamped postcard evidencing receipt by the USPTO. The Applicant respectfully requests that the Examiner acknowledge the same.

Claim Amendments:

Claims 2, 13, 16, and 19 are amended herein. Support for the amendments can be found in the Specification on page 8 at lines 11-14.

Specifically, claim 2 is amended to recite that "said definition management note stores a plurality of identifying information that is associated with the image which respectively correspond to a plurality of threshold values that is associated with the image, and said importance degree control unit executes a process of setting an importance degree mark when the counted number of times of display of any image accessed by the unique identifying information exceeds one of the plurality of corresponding stored threshold values associated with the image."

Claim 13 is amended to recite "storing a plurality of threshold values for each of the associated URLs."

Claim 16 is amended to recite a "display method of an image which is accessible by an associated unique identifying information, said display method comprising: storing a plurality of threshold numbers that is associated with the associated unique identifying information."

Claim 19 is amended to recite "a definition management note to store a number of times of display of any Web page which has been accessed by an associated URL, wherein the definition management note stores a plurality of URLs that respectively corresponds to a plurality of threshold values that is associated with each URL."

The Applicant asserts that the foregoing amendments place the application in condition for allowance or in better form for appeal, in accordance with 37 C.F.R. § 116 and MPEP § 714.12. The Amendments further clarify the claims in regard to the arguments presented previously. The Applicant respectfully requests that the Examiner enter the same.

Rejections Under 35 U.S.C. § 102(b):

Blades discusses a method and system for the automatic alternation of a display of multiple user selectable menu options (Blades, col. 1, lines 8-9). Specifically, Blades discusses a method and system whereby multiple counters are used to track a user's menu option selections (Blades, col. 1, lines 64-65). For each menu, a counter is provided that counts the number of times a user selects the particular menu (Blades, col. 2, lines 58-59). A counter is also provided for each menu option within a menu (Blades, col. 2, lines 62-63). However, Blades does not disclose or suggest multiple counters per menu option. The counters track the number of times that the user selects a particular menu and a particular selection within the menu (Blades, col. 2, lines 60-64). Each user has an associated set of counters (Blades, col. 2, line 65). A threshold is established for each menu for each user (Blades, col. 3, lines 1-2). If the menu option counter divided by the menu counter is less than the established threshold for the

particular menu, the display of the menu option associated with the menu option counter is automatically altered (Blades, col. 3, lines 2-6). The same threshold may be established for all menus or different thresholds may be established for each user or menu (Blades, col. 3, lines 6-8). Multiple thresholds for each menu may be set (Blades, col. 3, lines 20-27).

The Examiner equates the recited URLs and images to the menu options in Blades. Even if such a comparison is accurate, it is not sufficient to anticipate the present invention. Blades does not disclose or suggest multiple counters per menu option. The definition management note of the present invention is a table for managing some information associated with each of a plurality of URLs. A plurality of importance degrees and a number of times of use are associated with each URL. A threshold value and an importance degree mark are associated with each importance degree. Therefore, in the present invention, multiple thresholds are associated with each URL. The present invention manages the information associated with URLs by enabling a Web browser to show one of a plurality of importance marks for one image, identified by a URL, based on the number of times of use of the image.

Specifically, claim 2 of the subject application (as amended herein) recites that said definition management note stores a plurality of identifying information that is associated with the image which respectively correspond to "a plurality of threshold values that is associated with the image," and said importance degree control unit executes a process of setting an importance degree mark when the counted number of times of display of any image accessed by the unique identifying information exceeds one of the "plurality of corresponding stored threshold values associated with the image." In addition, claim 16 of the subject application (as amended herein) recites "storing a plurality of threshold numbers that is associated with the associated unique identifying information." Clearly, claims 2 and 16 of the subject application patentably distinguish over Blades.

In addition to being allowable based on its dependency from allowable claim 2, claim 3 of the subject application recites patentably distinguishing features of its own. Specifically, claim 3 recites that "each of the threshold values stored in said definition management note have an associated displayable image as a counting object." Because Blades does not disclose or suggest multiple thresholds per image, it cannot anticipate multiple displayable images as a counting object. Therefore, claim 3 of the subject application patentably distinguishes over Blades.

Rejections Under 35 U.S.C. § 103(a):

The foregoing remarks are incorporated as if fully set forth herein.

Nielsen discusses a method for tracking selected URLs using a list and a pointer (Nielsen, col. 5, line 18 - col. 6, line 5). Specifically, Nielsen discusses a method whereby a selected URL is appended to the end of a list and a pointer is updated to the current URL. (Nielsen, col. 5, lines 22-24; col. 5, line 64 – col. 6., line 5). Choosing to navigate forward or backward in the list updates the pointer accordingly (Nielsen, col. 5, lines 31-46). Further, Nielsen discusses a method for selecting a URL from the list as the current selection (col. 6, lines 48-50).

MPEP §2142 states that "[w]hen the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the examiner to explain why the combination of the teachings is proper." The Examiner is required to present actual evidence and make particular findings related to the motivation to combine the teachings of the references. In re Kotzab, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); In re Dembiczak, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence." Dembiczak, 50 USPQ2d at 1617. The factual inquiry regarding whether to combine the references must be based on objective evidence of record, and cannot be based on subjective belief and unknown authority. In re Lee, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002). The Examiner must explain the reasons that one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious. In re Rouffet, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

In item 7, on page 4 of the Office Action, the Examiner asserted that "[i]t would have been obvious to a person with ordinary skill in the art to have the menu options be URL addresses and thus the viewer be viewing web pages, because it would be a convenient way for efficient selection and access of image and application menu options, in a system that tracks menu options for efficient selection and access of images and applications." However, the Examiner failed to present any evidence related to the motivation to combine the teachings of the references. Specifically, the Examiner only asserted that the combination of the references would be beneficial in increasing convenience. Such an assertion is broad and conclusory, and is not actual evidence as to why someone skilled in the art would be motivated to combine the references to achieve the benefit.

Further, the references teach away from one another. Specifically, Blades applies to

non-internet applications, e.g., windows-based menus, while Nielsen applies to web browsers. Without more, the proposed combination is improper, as someone skilled in the art would not be motivated to combine the references. However, for purposes of argument, the Applicant will address the combination as if it were proper, without admitting the same.

Assuming *arguendo* that the combination of Blades and Nielsen is proper, the combination of Blades and Nielsen would produce a method and system for the automatic alternation of a display of a menu of multiple URLs. In the combined system, multiple counters are used to track the number of times that a user selects a particular URL. One threshold value for each menu is used to determine where to alter the display of all URLs within the menu.

In contrast, claims 13 and 19 of the subject application (as amended herein) recite a plurality of threshold values associated with each URL. Specifically, claim 13 recites "storing a plurality of threshold values for each of the associated URLs." Claim 19 recites "a plurality of URLs that respectively corresponds to a plurality of threshold values that is associated with each URL."

~~Even if the combination of Blades and Nielsen were appropriate, the combination does~~ not disclose or suggest the claimed invention. At best, the combination only would disclose one threshold value for each menu. Therefore, claims 13 and 19 of the subject application patentably distinguish over the foregoing references.

In addition to being allowable based on their dependency, directly or indirectly, from one of allowable claims 13 and 19, claims 4-12, 14-15, 17-18, and 20 of the subject application recite patentably distinguishing features of their own. For example, claim 4 recites that "said definition management note defines an importance degree for each URL which has been accessed a number of times exceeding an associated threshold value, and said importance degree control unit executes a process corresponding to an importance degree mark for each URL having an associated importance degree." Because the combination of Blades and Nielsen, if appropriate, does not disclose or suggest multiple thresholds per URL, it cannot render claim 4 or any of the other dependent claims obvious. Therefore, claims 4-12, 14-15, 17-18, and 20 patentably distinguish over the foregoing references.

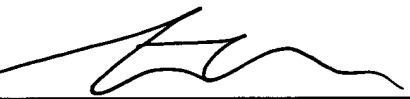
Withdrawal of the foregoing rejections is respectfully requested.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please AMEND claims 2, 13, 16, and 19. The remaining claims are reprinted, as a convenience to the Examiner, as they presently stand before the U.S. Patent and Trademark Office.

1. (CANCELED)

2. (TWICE AMENDED) A viewer to display images which are accessible by an associated identifying information, said viewer comprising:

a definition management note to store a number of times of display of any image which has been accessed by an associated unique identifying information; and

an importance degree control unit to count a number of times of display of any image accessed by the unique identifying information, wherein said importance degree control unit

~~outputs the number for storage by said definition management note, wherein~~

said definition management note stores a plurality of identifying information that is associated with the image which respectively correspond to a plurality of threshold values that is associated with the image, and

said importance degree control unit executes a process of setting an importance degree mark when the counted number of times of display of any image accessed by the unique identifying information exceeds [a] one of the plurality of corresponding stored threshold values associated with the image.

3. (AS ORIGINAL) A viewer as claimed in claim 2, wherein each of the threshold values stored in said definition management note have an associated displayable image as a counting object.

4. (AS ORIGINAL) A viewer as claimed in claim 3, said viewer being a browser that displays Web pages accessed via the Internet as the images and each identifying information being a URL, wherein

said definition management note defines an importance degree for each URL which has been accessed a number of times exceeding an associated threshold value, and

said importance degree control unit executes a process corresponding to an importance

degree mark for each URL having an associated importance degree.

5. (AS ORIGINAL) A viewer as claimed in claim 3, said viewer being a browser that displays Web pages accessed via the Internet as the images and each identifying information being a URL, wherein

an importance degree mark corresponding to an importance degree is defined for each URL stored in said definition management note, and

said importance degree control unit selects processes for each of the importance degree marks depending on the number of times of display.

6. (AS ORIGINAL) A viewer as claimed in claim 3, said viewer being a browser that displays Web pages accessed via the Internet as the images and each identifying information being a URL, wherein

said importance degree mark is a program object which notifies users that a number of times of display of associated Web pages is indicated by a density of color, or by characters or images being displayed within the associated Web page.

7. (AS ORIGINAL) A viewer as claimed in claim 3, said viewer being a browser that displays Web pages accessed via the Internet as the images and each identifying information being a URL, wherein

said importance degree control unit updates the counted number of times of display of a corresponding Web page before the Web page is displayed with the browser, and

said importance degree control unit executes a process designated by said importance degree mark on the basis of the counted number of times of display.

8. (AS ORIGINAL) A viewer as claimed in claim 3, said viewer being a browser that displays Web pages accessed via the Internet as the images and each identifying information being a URL, wherein

said importance degree control unit can add, change, and delete information in the definition management note relating to a Web page being displayed by said browser.

9. (AS ORIGINAL) A viewer as claimed in claim 2, wherein said viewer is a browser that displays Web pages accessed via the Internet as the images, and said importance degree

control unit counts URLs as the unique identifying information, said viewer further comprising:
an automatic registration control unit to register Web pages that have exceeded the stored threshold value to a bookmark.

10. (AS ORIGINAL) A viewer as claimed in claim 9, wherein said automatic registration control unit is provided with a sorting function to rearrange a registration sequence of Web pages in the bookmark depending on the number of times of display.

11. (AS ORIGINAL) A viewer as claimed in claim 10, further comprising:
an automatic page generating unit to automatically generate Web pages from corresponding URLs registered in the bookmark.

12. (AS ONCE AMENDED) A viewer as claimed in claim 2, wherein said viewer is a browser that displays Web pages accessed via the Internet as the images, and said importance degree control unit counts URLs as the identifying information, said viewer further comprising:
an automatic registration control unit to register Web pages that have been displayed greater than a threshold value to a bookmark.

13. (TWICE AMENDED) A viewing method using a browser to display Web pages having associated URLs, comprising:
storing a plurality of threshold values [which respectively correspond to] for each of the associated URLs;
counting a number of times of display of a Web page accessed by an associated URL;
and
executing a particular process when the counted number of times exceeds one of threshold values associated with the URL, said particular process including setting an importance degree mark when the counted number of times of display of the Web page exceeds the one of the threshold values.

14. (AS ONCE AMENDED) The viewing method according to claim 13, wherein the particular process notifies users that the threshold value of a number of times of display has been exceeded through display in a Web page.

15. (AS ORIGINAL) The viewing method according to claim 14, wherein the counted number of times of display of a corresponding Web page is updated before the Web page is displayed with the browser.

16. (TWICE AMENDED) A display method of an image which is accessible by an associated unique identifying information, said display method comprising:

storing a plurality of threshold numbers [which respectively correspond to] that is associated with the associated unique identifying information;

storing a number of times of display of any image which has been accessed by an associated unique identifying information; and

counting a number of times of display of any image accessed by the unique identifying information;

comparing the number of times of display of an image accessed by the unique identifying information with a threshold number associated with the unique identifying information; and

setting an importance degree mark when the counted number of times of display exceeds the threshold number.

17. (AS ONCE AMENDED) The viewing method according to claim 16, wherein the counting counts a number of times of display of Web pages accessed with a browser via the Internet, and wherein the unique identifying information is a URL, and further comprising:

registering a Web page which has been displayed greater than the threshold number to a bookmark.

18. (AS ONCE AMENDED) The viewing method according to claim 16, wherein said browser displays Web pages via the Internet, further comprising:

notifying users that a threshold value of a number of times of display has been exceeded through display in a Web page.

19. (TWICE AMENDED) A browser to display a Web page accessed via the Internet by an associated URL, said browser comprising:

a definition management note to store a number of times of display of any Web page which has been accessed by an associated URL, wherein the definition management note stores a plurality of URLs that respectively corresponds to a plurality of threshold values that is

associated with each URL; and

an importance degree control unit to count a number of times of display of any Web page accessed by the URL, wherein said importance degree control unit outputs the number for storage by said definition management note.

20. (AS ONCE AMENDED) The browser according to claim 19, wherein said importance degree control unit executes a process of an importance degree mark when the counted number of times of display of any Web page accessed by a URL exceeds a corresponding stored threshold value.